

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

MAY 06 2024

11:35 AM  
Margaret Botkins, Clerk  
Cheyenne

U.S.A.

Case # 24-CR-34-KHR

v.

Brought forward by:

FRANK RAY BERRIS

Frank-Ray: Beris©,  
Pro Se litigant, Suifuris,  
Secured Party Creditor (UCC  
U.S. National (8 USC 1101(a),MOTION TO DISMISS/REBUTT DETENTION

I, Frank-Ray: Beris©, a living man, bring forward this MOTION TO DISMISS/REBUTT DETENTION on multiple points of Unconstitutionality and Violations of my Rights that are God given and Unalienable and protected by the U.S. Constitution.

1) Flight Risk and Failure to Appear (FTA's)

These false accusations are based on fraudulent, fabricated and backdated FTA's put on my record in my last Pro Se case at the State level. These were all proven in the trial to be false, on record, that the 72 Right to Resentions I had turned in to the Court Clerk worked properly and I had never missed a court date and or were there any warrants issued. This was proven by multiple witnesses & multiple screen shots that were printed for evidence. Hence the

reason why the plaintiff in this case is so adamant to have all evidence from this trial struck down through their "Motions in Limine". This is assumedly an attempt by the plaintiff to suppress evidence that would prove my innocence in this case.

## 2) Alleged Criminal History

These false accusations on the entity FRANK RAY BERRIS are clearly put forth by someone who has not thoroughly researched the records. There has NEVER in the history of said entity been a conviction of a Violent crime. But if one was to look closely at this record, what they would assumedly find is a soul that was lost in addict for 24 years. Driving offenses due to addiction to alcohol was the cause of the entities felony conviction in the first place. With that said anyone who is remotely coherent in the Law, in any jurisdiction would know that being an addict does NOT necessarily make one a Criminal, especially if their record does not reflect such accusations.

## 3) Danger to Society / Officer Safety

This is clearly another fabricated accusation on me because there is absolutely zero evidence of me ever committing a violent act towards anyone in

society or any officer. I have NEVER pulled or held a weapon, let alone a gun on anyone in society, including any officer of law. There is absolutely no evidence of this. Actually quite opposite is True, I literally stood side by side with W.H.P., Natrona County Sheriff Deputies or Casper Police a couple years back when Antifa and B.L.M. came to Casper to cause havoc on Private Businesses and the People of Casper. The L.E.O.'s even put "white rope" on We the Peoples' wrists, so to be able to differentiate between the People of Casper and the intruders of Our town. Does that sound like criminal behavior to this court or the plaintiff?

#### 4) Lifestyle of the Accused

I, Frank-Ray Bennis©, a living man have been sober for almost 16 yrs, 7-8-08 is my sobriety date. Not only that, if one looks closely they will assuredly see that when all my problems with the law came to a complete halt. Had zero interactions for years upon years, minus a gender bender in a Smiths parking lot. It was not until I discovered that "birth certificates" were put on "bank notes" and there were "Bond numbers" at the bottom of these, that I, along with 35 million other Americans realized the fraud that has been perpetuated on We the People. For example, We the People don't need a "driver license



unless we're dealing in "commerce". There is actually  
 "No Law" that says we need to pay income tax, etc.  
 That there is a legal and lawful difference between  
 the "Law of the land" and Corporate "by-law" of the  
 two corporations that usurped our Country with  
 the "Act of 1871". I learned we the People were turned  
 into corporate fiction entities while we were in  
 our cribles, just days old, this is what is considered  
 unconscionable contract as the "Federal Government"  
 put us into "contract" with them when we were infants.  
 This was all done for the simple fact that a living  
 man can only "contract" with another living man,  
 which in turn means a corporation can only "contract"  
 with another corporation. These fraudulent "Birth  
 Certificates" were created so the two corporations  
 that usurped our country with "The Act of 1871" which  
 includes the "Territorial" which is owned by the  
 British monarchy and the "Municipal" which is  
 owned by the Vatican. I have lawfully taken my  
 Natural Birth Rights back via Title 8 USC 1101(a)  
 which literally changed my political status and  
 Standing and am now a U.S. National. I also  
 became a Secured Party Creditor (S.P.C.), which  
 means I took back control of all the Trusts created  
 fraudulently against me and now am the Executor  
 of all three of the Trusts, 1) Minor Trust, 2) Ward  
 of the State, 3) Transmitting Utility under the

Uniform Commercial Code (U.C.C.), this makes me what is referred to as the "Holder in Due Course" in all Commercial Law. And as the Gold Fringe on the Title 4 Federal Battle Flags in all the Court rooms represents Admiralty / Maritime Law which is the Law of the Sea, which makes it Commercial Law, I'm protected by the U.C.C. in this jurisdiction. Hence the reason I keep asking the Executive Administrator of these proceedings to bring the Bond forward so I can see who will Indemnify me for the damages I have incurred. I also have in my possession a duly authenticated birth certificate from the U.S. government (with the brassivot) that clearly state that "I hold full faith and credit in all Courts" pursuant to Title 28 USC 1738. It is this Court and the plaintiff duty to prove this "is not a fact" as We the People are supposed to be "innocent" until proven "guilty", which seems apparent has been reversed in my case.

### 5) Fraudulent Charge of 922(g)(1)

This alleged charge is dead in the water from its inception if this court (10<sup>th</sup> District) respects the Rule of Law put forth the the United States Supreme Court via the

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N.Y.S. RIFLE + PISTOL ASS'N, INC.

v.

KEVIN P. BRUDEN

142 S.Ct. 2111, 213 L. Ed. 2d 387

Argued - Nov 3, 2021

Decided - June 23, 2022

The Supreme Court in this Land ruling is Prima Facie evidence that the U.S. government NEVER had the Right or Authority to take the Second Amendment Rights away from any Entity that has NO violent history and that ALL Rights are to be Restored Immediately upon release. It also states that "As applied" I was in my Right of self-defense, and that "As facial" I am considered "of the People", which again goes directly to Automatic Restoration.

### Other Pertinent Facts

1) My place of domicile has already been searched by the Federal government and Nothing was taken or confiscated from premises. Which would make clear that I am NOT this "career criminal" that the court thinks they have.

2) I had multiple "Letters of Recommendation" written and delivered to this court. They were not

read aloud in this court nor were I given copies of said letters. These letters are once again Prima Facie evidence from outstanding members of society that I am not a danger to society or some career criminal.

3) I have at least three of these outstanding members of society that would sign an affidavit saying that they themselves would personally drive me to any and all court dates in the future.

4) I still have NOT been given the proper tools in S.B.C.D.C. to research and prepare for my case. I was not afraid to defend myself against these false accusations from the "District of Columbia" at the State level, and I am no more afraid nor intimidated at the Federal level. But the facts remain that I have not been given the "level playing field" that was of concern at my Fenster hearing.

5) I have two teeth that have been approved by the medical staff at S.B.C.D.C. to be removed, this approval was over months ago but the Dentist they had apparently quit and S.B.C.D.C. has yet to find another Dentist within an hour and a half of this facility. These teeth are rotting and the infection is poisoning me as I have been having severe headaches and other side effects.



Furthermore:

With all this said and written in my Sacred Honor, I would like this court to take a good hard look at the evidence, which is of a 16 year soldier man that has never been convicted of a violent crime a second look. I would hope this court would be more interested in True and Real Justice instead of conviction rates that clearly put the People in cages for not ever committing a crime, (no injured Party).

Respectfully,

Frank-Ray: Benis

CERTIFICATE OF SERVICE

I hereby certify that on April 28<sup>th</sup>, 2024 the foregoing was filed and consequently served on counsel of record. In and under my Sacred Honor in the Image of Yeshua.

sign: Frank-Ray: Benis  
 Pro Se litigant, Sui Juris  
 Secured Party, Creditor,  
 U.S. National (8 USC 1101)